

**CITY OF CENTRAL  
CITY COUNCIL MEETING  
November 6, 2012**

**CALL TO ORDER**

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:00 p.m., in City Hall on November 6, 2012.

**ROLL CALL**

Present: Mayor Engels  
Alderman Spain  
Alderman Giancola  
Alderman Voorhies  
Alderman Lee

Absent: None

Staff Present: Attorney McAskin  
City Clerk Bechtel  
Finance Director Flowers  
CDD/HPO Thompson  
Utilities Superintendent Griffith  
Police Chief Krelle  
Fire Chief Allen

The Pledge of Allegiance was recited by all present.

**ADDITIONS AND/OR AMENDMENTS TO THE AGENDA**

City Clerk Bechtel asked to table Ordinance No. 12-12 since it has been posted for Public Hearing on November 20<sup>th</sup>.

**CONFLICTS OF INTEREST**

No Council Member disclosed a conflict regarding any item on the agenda.

**CONSENT AGENDA**

Alderman Spain moved to approve the consent agenda containing the regular bill lists for October 18, 25 and November 1, 2012; and the City Council minutes of October 16, 2012. Alderman Giancola seconded, and without discussion, the motion carried unanimously.

**PUBLIC FORUM/AUDIENCE PARTICIPATION**

Linda Buckley, RE Broker, stated she helped get gaming in Colorado as well as working for the completion of the Parkway. She discussed her plans to extend a rail line to Central City and build the largest casino in Colorado.

## **SECOND READING AND PUBLIC HEARING**

*Ordinance No. 12-11: An ordinance of the of the City Council of the City of Central, Colorado regulating vehicles and traffic; amending certain provisions of Article 1 of Chapter 8 of the Municipal Code concerning the Model Traffic Code; adopting the revised 2010 Model Traffic Code for Colorado by reference with amendments; setting forth in full the penalty clause; and setting forth details in relation thereto.*

Attorney McAskin explained that the Central City Municipal Court (the “Court”) and the Police Department (“CCPD”) have requested that the City adopt the 2010 Model Traffic Code. A public hearing on the adoption of the 2010 Model Traffic Code is required prior to adoption on second reading. Notice of the public hearing was published in The Weekly Register-Call on October 11, 2012 and October 25, 2012, in accordance with statutory requirements. A copy of the publisher’s affidavit is on file with the City Clerk’s office. The City Council has authority to adopt by reference published compilations of regulations adopted by other political subdivisions of the State pursuant to Part 2, Article 16 of Title 31, Colorado Revised Statutes.

The Model Traffic Code was developed to make available a specimen set of motor vehicle and traffic regulations that track State law. The Model Traffic Code for Colorado was originally adopted by the Colorado Department of Transportation in 1952, and was subsequently revised in 1962, 1966, 1970, 1973, 1974, 1977, 1995, 2003, 2009, and 2010. The City adopted the 2003 Model Traffic Code in 2005 (by Ordinance 05-11).

Many jurisdictions determined not to adopt the 2009 edition due to identified errors. The 2010 edition of the Model Traffic Code corrected most of the errors contained in the 2009 edition and has been adopted by the Colorado Transportation Commission and many jurisdictions throughout the State. The 2010 edition of the Model Traffic Code reflects changes to the traffic laws by the Colorado General Assembly since the 2003 edition.

To meet the City’s specific needs, it is necessary to make several deletions, additions, and modifications to the 2010 Model Traffic Code include the following:

- Section 236 of the Model Traffic Code was amended to reflect the current version of C.R.S. § 42-4-236, which includes changes that were made during the 2011 legislative session.
- Section 1701 of the Model Traffic Code, which classifies and sets penalties for traffic offenses, will not be adopted because the City (through the Court) separately establishes its own fines and penalties. Note: A copy of the Court’s current fine schedule (adopted via order dated October 2, 2012) is attached as **Exhibit A** and is incorporated herein by reference.
- As set forth in the proposed Ordinance, the Court is vested with authority to amend the Fine Schedule. Further, the City Council may, from time to time, amend the Fine Schedule by resolution duly adopted.
- Section 1702 of the Model Traffic Code, which establishes traffic offenses for counties, will not be adopted because it is irrelevant to the City.
- Sections 1705 and 1707 of the Model Traffic Code (establishing the summons and other court procedures) have been reinserted.

Ordinance 12-11 has been reviewed by the administrator of the Court as well as representatives from the CCPD.

Mayor Engels opened the Public Hearing at 7:07 pm. Hearing no comment, Mayor Engels closed the Public Hearing at 7:08 pm.

Alderman Spain moved to adopt Ordinance No. 12-11: An ordinance of the of the City Council of the City of Central, Colorado regulating vehicles and traffic; amending certain provisions of Article 1 of Chapter 8 of the Municipal Code concerning the Model Traffic Code; adopting the revised 2010 Model Traffic Code for Colorado by reference with amendments; setting forth in full the penalty clause; and setting forth details in relation thereto on 2<sup>nd</sup> reading and following the Public Hearing. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

## **NEW BUSINESS**

Ordinance No. 12-13: *An ordinance of the City Council of the City of Central amending certain provisions of Article II of Chapter 13 of the Central City Municipal Code; specifically regulations pertaining to yard hydrants.*

Utilities Superintendent Griffith explained that staff wants to provide clear direction on yard hydrants and how they are metered and allowed as a use in the City. There are three things that have been clarified in the new Ordinance:

Each yard hydrant allowed pursuant to this Section 13-124 shall:

- a. have adequate backflow prevention, consisting of a screw-on vacuum breaker or other backflow preventer approved by the City; and
- b. be separately metered with a radio-read meter approved by the City; and
- c. meet the ASSE requirements specified in Subsection (b) of this Section, if an existing yard hydrant is replaced following the effective date of this Section.

Basically if you already have a meter pit you are in compliance. All yard hydrants much have backflow prevention that can be purchased for \$5. If you need a 2<sup>nd</sup> meter the City will pay half of the meter cost up to \$125 and if you choose not to get the second meter, there will be a \$75 fee from April to October. If your hydrant fails you will need to remove it or upgrade to AWA standards.

Alderman Giancola moved to adopt Ordinance No. 12-13: An ordinance of the City Council of the City of Central amending certain provisions of Article II of Chapter 13 of the Central City Municipal Code; specifically regulations pertaining to yard hydrants and set the Public Hearing for November 20<sup>th</sup> at 7:00pm. Alderman Spain seconded, and without discussion, the motion carried unanimously.

Ordinance No. 12-14: *An ordinance of the City Council of the City of Central adopting and appropriating the 2013 Budget, adopting the 2013-2018 Pay Plan, adopting the Capital Improvement Plan, and setting a Property Tax Mill Levy.*

Finance Director Flowers explained that in accordance with C.R.S. § 29-1-105, the budget officer for the City is required to submit the proposed budget for the following year to the City Council by October 15<sup>th</sup>. Presentation of the 2013 Proposed Budget does not mean that the budget has been adopted or that revisions cannot/will not be made prior to actual adoption. By formally presenting the 2013 Proposed Budget to Council the document becomes available for inspection by the public. The "Notice of Budget" has been published in accordance with C.R.S. § 29-1-106.

The public hearing will be held on November 20, 2012. Revisions can be made to the Proposed Budget at any time prior to final adoption on November 20, 2012. Some points to note are:

- A 2% cost of living adjustment and a possible 3% merit increase are reflected for all

salaries and wages.

- Council has specifically reserved \$100,602 of the General Fund, \$49,351 on the Conservation Trust Fund and \$127,424 of the Public Property Trust Fund for grant match funds.
- The Water Fund reflects a tiered water rate system for residential accounts with a base rate beginning at \$60.00, \$48.00 for seniors and a commercial base rate of \$95.00 for up to 10,000 gallons.

Alderman Voorhies moved to adopt Ordinance No. 12-14: An ordinance of the City Council of the City of Central adopting and appropriating the 2013 Budget, adopting the 2013-2018 Pay Plan, adopting the Capital Improvement Plan, and setting a Property Tax Mill Levy and set the Public Hearing for November 20<sup>th</sup> at 7:00pm. Alderman Spain seconded, and without discussion, the motion carried unanimously. Alderman Lee thanked Finance Director Flowers for noting the reserves and the lease purchase financial debt schedule in the budget.

Ordinance No.12-15: An ordinance adopting water rates and fees for water services.

Finance Director Flowers explained that in conjunction with the adoption of the 2013 Budget, the Water Rates as presented in the budget need to be adopted. With the completion of the residential meter installation project, the City will now be able to charge residents for water based off of actual usage. During a number of budget work sessions, Staff and Council developed tiered rate structures for both residential and commercial users that will serve two purposes; make the Water Fund self sufficient and address the issue of equitability between what user groups are charged and how much water they use.

**Residential**

**Tier 1** Base Rate \$60 For up to 3,000 gallons used

**Tier 2** Base Rate \$60 + \$4.84 per thousand gallons used from 3,001 to 5,000

**Tier 3** Base Rate \$60 + \$5.81 per thousand gallons used from 5,001 to 7,000

**Tier 4** Base Rate \$60 + \$6.97 per thousand gallons used over 7,001

Residents who are aged sixty-five (65) or older and who resides in the water using unit will be eligible for the Senior Discount. The Senior Discount reduces the base rate charged to \$48 per month. The Senior Discount applies to the base rate only. Amounts for usage will be charged as shown above. Regardless of the amount of water used, the base rates of either \$60 or \$48 will be charged.

**Commercial**

**Tier 0** Base Rate of \$60 for those who use less than 10,000 gallons per month

**Tier 1** Base Rate of \$95 + \$7.26 per thousand gallons used from 10,001-15,000

**Tier 2** Base Rate of \$95 + \$10.89 per thousand gallons used from 15,001-20,000

**Tier 3** Base Rate of \$95 + \$13.61 per thousand gallons used from 20,001-30,000

**Tier 4** Base Rate of \$95 + \$14.97 per thousand gallons used from 30,001-50,000

**Tier 5** Base Rate of \$95 + \$16.47 per thousand gallons used over 50,000

**Out-of-City**

\$64 per thousand gallons-no change from current

As discussed in the Budget Message, the Water Fund's self-sufficiency and the aged infrastructure of the system itself have been made major priorities by City Council. In 2011, the City began the process of correcting these financial and infrastructure deficiencies in several different ways. The first of those was to accept and approve a Five (5) year financial plan that makes the Water Fund self-supporting by the end of the fifth year. As part of this plan, water rates needed to be increased in each of those five years. 2012 was the second year in this plan. In addition to increasing water rates to achieve a self-sufficient fund, Council also directed staff to institute the water meter program in which all commercial water meters were to be replaced and all residential units were to have a water meter installed. By installing meters on all residential units, the City will be able to institute a tiered rate billing structure that charges both businesses and residents for the water they actual use thereby creating equity in the system and proper revenue streams financially. All commercial meters within the City were replaced in 2011. At this time, nearly all residential meters have been installed and staff will have all of them completed by the close of 2012.

Alderman Spain moved to adopt Ordinance No.12-15: An ordinance adopting water rates and fees for water services and set the Public Hearing for November 20<sup>th</sup> at 7:00pm. Alderman Giancola seconded, and without discussion, the motion carried unanimously.

#### **STAFF REPORTS**

Alderman Giancola asked Chief Krelle about his new vehicles. Chief Krelle stated that he has the unmarked Chief's vehicle and expects the remaining two black and white vehicles in the next couple of weeks.

Alderman Voorhies thanked Utilities Superintendent Griffith for his explanation on the yard hydrant issue.

#### **COUNCIL COMMENTS**

Mayor Engels welcomed Dominic Bland, visiting from London, interested in our government process.

#### **PUBLIC FORUM/AUDIENCE PARTICIPATION**

No one requested time to address the Council.

Hearing no further business, Mayor Engels adjourned the meeting at 7:23 p.m.  
The next Council meeting is scheduled for November 20, 2012 at 7:00 p.m.

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Ronald E. Engels, Mayor

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Reba Bechtel, City Clerk